

Government of Andhra Pradesh

A b s t r a c t

MA & UD –Department— Tirupathi Municipal Corporation – Regularization of the services of Sarvasri G.Srinivasulu, K.Battaiah, P.Murali Krishna NMRs, against the posts of PH..Worker in terms of GO.Ms. No. 212 Fin (PC-III) Department.- Permission - Accorded.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (D2) DEPARTMENT

G.O Rt. No: 705

Dated: 23 -06-2010

Read the following:

1. From the Commissioner and Director, Municipal Administration, Hyderabad Letter Roc.No. 3227/2005-M2 Dated 21.04.2006.
2. From the Commissioner and Director, Municipal Administration, Hyderabad Letter Roc.No. 3227/2005-M2 Dated 12.04.2010.

O R D E R:

The Commissioner and Director, Municipal Administration in the reference 1st and 2nd read above informed that Sri G.Srinivasulu, Sri.K.Battaiah, Sri.P.Murali Krishna were engaged as NMRs on daily wages in the Tirupathi Municipality w.e.f 01.03.81 and their services were terminated w.e.f. 01.12.84. Sri K.Bathaiah has filed ID. No. 72/95 before the Chairman-cum-Presiding Officer, Industrial Tribunal-cum-Labour Court, Anantapur and the Tribunal in its award dated 18.02.1998 set aside the termination order and directed the respondents to reinstate the petitioner into service with continuity of service and also pay the back wages from the date of the filing of the ID till the date of reinstatement. Similar orders were passed in the case of Sri.B.Srinivasulu in I.D.No. 66/95 dated 18.2.1998. Both of them were reinstated into service as NMRs in engineering section on 15.10.1998 subject to outcome of WP Nos. 28242 & 28231/98 filed before the Hon'ble High Court against the above orders. The WPs were dismissed by the High Court in its orders dated 27.7.2000. They filed O.A.No. 2224/2000 before the Andhra Pradesh Administrative Tribunal seeking a direction for regularization of their services and the Hon'ble Tribunal in its order dated 20.3.2001 directed the respondents to regularize the services of the applicants who fulfilled the conditions incorporated in G.O.No. 212, dated:22.04.1994 and G.O.Ms.No. 112, dated 23.07.1997 irrespective of the fact whether they completed 5/10 years of service as on 25.11.1993 provided they were in service as on the said cut of date and without insisting for existence of clear vacancy and to effect payment of salaries to them in the pay scales attached to the posts w.e.f. 23.02.2001. The Commissioner, Municipal Corporation, Tirupathi filed W.P.No. 15143/2001 against the above Tribunal Orders. Subsequently on the WVMP No. 19283/2001 filed by the petitioners, the Andhra Pradesh High Court in its order dated 31.1.2005 modified the interim orders of APAT dated 27.3.2001 and ordered to pay the salaries in the minimum time scale of pay to last grade employees w.e.f. 1.1.2004. The Commissioner, Tirupathi Municipal Corporation has filed SLP No. 13049/05 in Supreme Court of India. The Supreme Court of India by its order dated 22.1.2007 has set aside the Interim Order and directed to hear the main Writ Petition for disposal. The Andhra Pradesh High Court in its orders dated 22.9.2008 in WP.No.15413/2001 . It is directed the authorities to consider the cases of the respondents 4 to 6, sympathetically, by passing appropriate orders and communicate the same to them, within a period of three months from the date of receipt of a copy of this order. However, the impugned order passed by the Tribunal insofar as granting of time scale of pay is concerned the same is impermissible and hence it is set aside. With this observation and direction disposed the Writ. Petition.

The Commissioner and Director, of Municipal Administration, Hyderabad in the light of the above Court orders submitted proposals for regularization of the services of Sri.G.Srinivasulu, Sri.K.Bathaiah and Sri.P.Murali Krishna. against the PH Worker posts in terms of G.O.Ms.No. 212 Finance(PC-III) Department, dated 22.04.1994 and requested the Government to issue necessary orders in the matter.

Government after careful examination of the matter, hereby accord permission to the Commissioner and Director, Municipal Administration, Hyderabad to regularize the services of Sri. G. Sreenivasulu, Sri K.Bathaiah and Sri P.Murali Krishna, NMRs of Tirupati Municipal Corporation against the PH Worker posts in terms of G.O.Ms.No. 212 Fin (PC-III) Department dated 21.4.1994 from prospective date i.e. date of issue of orders subject to condition that the said vacancies are clear / regular and continued from time to time till date and no senior eligible person is overlooked / omitted.

This order issues with the concurrence of Finance Department vide their U.O.No.13408/257/A1/PC.III/2010, dated 29.05.2010

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**PUSHPA SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Commissioner and Director,
Municipal Administration,
Hyderabad.
The Commissioner,
Tirupathi Municipal Corporation.
SF/SC

//FORWARDED BY ORDER//

SECTION OFFICER